

5318. By Mr. KINKAID: Petition of J. M. Stoetzel and 17 other residents of Scotia, Nebr., and vicinity, against profiteering in oil and gasoline by oil companies; to the Committee on Interstate and Foreign Commerce.

5319. Also, petition of the Nebraska State Irrigation Association, indorsing the passage of the emergency tariff bill (H. R. 15275); to the Committee on Ways and Means.

5320. Also, petition or memorial of the Nebraska State Irrigation Association, indorsing passage of Senate bill 4561, by Senator CAPPER; to the Committee on Agriculture.

5321. By Mr. LONERGAN: Petition of the Connecticut Teachers' League, favoring the truth-in-fabric bill; to the Committee on Interstate and Foreign Commerce.

5322. Also, petition of Connecticut Teachers' League, regarding preservation of national parks; to the Committee on Water Power.

5323. By Mr. McDUFFIE: Papers to accompany House bill 15624, for the relief of J. E. Hendrix; to the Committee on Claims.

5324. By Mr. TAGUE: Petition of the New England Purchasing Agents' Association, Boston, Mass., regarding commercial bribery; to the Committee on the Judiciary.

5325. By Mr. TAYLOR of Colorado: Petition of the Church of Brethren and Friends, of Grand Junction, Colo., urging the passage of House bill 12652, providing for physical training and education; to the Committee on Education.

5326. By Mr. TINKHAM: Petition of Henry J. Ryan, American Legion headquarters, Indianapolis, Ind., concerning compulsory education in English, American history, and civics in the public and private schools; to the Committee on Education.

5327. Also, petition of the Public Education Association of Worcester, Mass., indorsing the Fess-Capper bill; to the Committee on Education.

5328. Also, petition of the New England Purchasing Agents' Association, favoring the decentralized plan of railroads, and legislation for the punishment of commercial bribery; to the Committee on the Judiciary.

## SENATE.

FRIDAY, January 28, 1921.

(Legislative day of Wednesday, January 26, 1921.)

The Senate met at 12 o'clock m., on the expiration of the recess.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Lodge	Smith, Ariz.
Ball	Hale	McCumber	Smith, Ga.
Beckham	Harris	McKellar	Smith, Md.
Borah	Harrison	McLean	Smith, S. C.
Brandeggee	Heflin	McNary	Smoot
Calder	Henderson	Moses	Spencer
Capper	Hitchcock	Myers	Stanley
Colt	Johnson, Calif.	Nelson	Sutherland
Culberson	Jones, N. Mex.	Overman	Thomas
Curtis	Jones, Wash.	Page	Townsend
Dial	Kellogg	Penrose	Trammell
Dillingham	Kendrick	Phipps	Underwood
Elkins	Kenyon	Pomerene	Wadsworth
Fletcher	Keyes	Ransdell	Walsh, Mass.
France	King	Robinson	Williams
Gerry	Kirby	Sheppard	Willis
Gooding	Lenroot	Simmons	

Mr. BALL. I desire to announce that the Senator from Washington [Mr. POINDEXTE] and the Senator from Montana [Mr. WALSH] are absent on official business of the Senate.

Mr. CURTIS. I have been requested to announce that the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Missouri [Mr. REED], and the Senator from Maine [Mr. FERNALD] are engaged in a hearing before the Committee on Manufactures.

Mr. HARRISON. I was requested to announce that the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from South Dakota [Mr. JOHNSON], and the Senator from Delaware [Mr. WORCOTT] are detained from the Senate by reason of illness.

Mr. McKELLAR. I wish to state that the junior Senator from Virginia [Mr. GLASS] is detained from the Senate on important business.

The VICE PRESIDENT. Sixty-seven Senators have answered to the roll call. There is a quorum present.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In compliance with the standing order of the Senate of the United States that at the conclusion of the reading of the Journal upon the 22d day of February

Washington's Farewell Address shall be read and that the Presiding Officer shall designate a Senator for that purpose, the Chair designates to read the address upon the 22d of February next the Senator from New York [Mr. WADSWORTH].

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The signature of the Vice President was announced to the following enrolled bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

H. R. 974. An act for the relief of W. T. Dingler;

H. R. 4184. An act for the relief of C. V. Hinkle;

H. R. 11769. An act to amend an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917; and

H. J. Res. 440. Joint resolution directing the Secretary of War to cease enlisting men in the Regular Army of the United States, except in the case of those men who have already served one or more enlistments therein.

CREDENTIALS.

Mr. ROBINSON. I present the credentials of Hon. T. H. CARAWAY, elected to a seat in this body from the State of Arkansas for the term beginning March 4, 1921, and I ask that the same may be read and placed on file.

The credentials were read and ordered to be filed, as follows:

STATE OF ARKANSAS,  
Governor's Office, Little Rock.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November, 1920, T. H. CARAWAY was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1921.

Witness: His excellency, our governor, Thomas C. McRae, and our seal hereto affixed, at Little Rock, this 15th day of January, in the year of our Lord 1921.

[SEAL.] THOMAS C. McRAE, Governor.

By the governor:

IRA C. HOPPER, Secretary of State.

CARE OF DISABLED EX-SERVICE MEN.

Mr. ROBINSON. Mr. President, the Legislature of the State of Arkansas adopted a concurrent resolution, the substance of which has been transmitted to me by a telegram from the secretary of state. Some days ago I introduced a bill authorizing the transfer of Fort Logan H. Roots from the War Department to the Public Health Service for use as a hospital for certain disabled soldiers and others. The concurrent resolution indorses the provisions of that bill and urges its enactment.

At the present time there are 19 sick and disabled soldiers confined in the hospital for nervous diseases, which is an institution for the care of the insane in the State of Arkansas. Under the statutes of that State inmates of the hospital may pay not to exceed 50 cents per day for attention and services there. So for the inmates of that hospital who are sick and disabled soldiers the Government can pay only 50 cents a day, while the Federal statute authorizes the payment of \$3 a day. I called the attention of the War Risk Insurance Bureau to the fact that these soldiers are confined in the hospital for the insane at Little Rock, Ark., and I am assured by the Chief of the Bureau of War Risk Insurance that upon receipt of information as to the names and claim numbers of the War Risk inmates they will be transferred to a hospital elsewhere.

The commander of the American Legion for Arkansas, Leigh Kelley, sends me a telegram, which I send to the desk and ask to have read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

LITTLE ROCK, ARK., January 27, 1921.

JOE T. ROBINSON,  
United States Senate, Washington, D. C.

Replying to your telegram, I appreciate that as a result of your splendid efforts disabled ex-service men at the State hospital for nervous diseases are to be transferred elsewhere. However, this only takes care of 19, whereas we have thousands of disabled ex-service men in Arkansas for whom adequate hospitalization must be provided. Hope you will make determined effort to obtain Fort Logan H. Roots, as there is no apparent reason for its retention by the military authorities. If permanent transfer can not be effected, it should be transferred temporarily for a period of years to United States Public Health Service. Deplorable lack of hospital facilities for disabled men must ever be a blot on our Government unless immediate steps are taken to provide adequate hospitalization for our Nation's heroes.

LEIGH KELLEY,  
Department Commander American Legion of Arkansas.

Mr. ROBINSON. The Surgeon General of the Public Health Service has twice requested the use of Fort Logan H. Roots for hospital purposes in connection with sick and disabled soldiers, but the War Department has declined the request on the

ground that in the future the use of the property at Fort Logan H. Roots may be resumed as a fort.

The bill which I have introduced, and which is the subject of the telegrams to which I have referred, has been sent down to the War Department by the chairman of the Committee on Military Affairs, with the request that the committee be informed as to what use is now being made of Fort Logan H. Roots, what use is contemplated in the early future, and whether it is deemed practicable by the War Department that the transfer called for in the bill shall be made. The information which I have is to the effect that while there are a large number of buildings at Fort Logan H. Roots which could, with some expenditure of public funds, be made available for hospital purposes, the greater number of those buildings are now unused and have been for a year or more. It is believed that no reason exists why the property should not be temporarily at least availed of for hospital purposes.

There are hundreds, perhaps thousands, of former service men in the State of Arkansas who are greatly in need of hospital facilities. The story is a pathetic one. I shall not undertake to go into it in detail at this time, but if some provision is not made for them in the near future I shall undertake to make a full statement of the case and furnish the Senate information regarding the matter.

Before abandoning the floor I ask to have printed in the RECORD the telegram to which I referred in the beginning of my remarks, communicating the concurrent resolution adopted by the General Assembly of the State of Arkansas. It will be observed that the telegram relates to another concurrent resolution also adopted by the Legislature of Arkansas, with relation to an improvement of the Ouachita River. I ask that the telegram may be inserted in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LITTLE ROCK, ARK., January 27, 1921.

Hon. JEE T. ROBINSON,  
United States Senator from Arkansas, Washington, D. C.:

House concurrent resolution No. 9 has just been approved by the governor. Resolution urges Congressmen and Senators from Arkansas to use best efforts in passage of legislation transferring Fort Logan H. Roots to the Public Health Service. Passage urgently necessary to proper care of disabled ex-service men. House concurrent resolution No. 10 also signed by the governor to-day, urging passage of appropriation for construction of locks and dams on the Ouachita River. Both resolutions are very meritorious. Certified copies being forwarded in to-day's mail.

IRA C. HOPPER, Secretary of State.

#### NAVAL BUILDING PROGRAM.

Mr. GERRY. Mr. President, I desire to announce that on Monday next at the close of the routine morning business, or as soon thereafter as I can obtain the floor, I shall discuss the naval building program.

#### SHIPPING CLAIMS AGAINST THE BRITISH GOVERNMENT.

Mr. LODGE. Mr. President, on yesterday I introduced a resolution of inquiry asking the President for certain information, if not incompatible with the public interest. I thought there was no objection to the resolution, and that it had been adopted. I now see that the resolution was printed and went over. There was no objection to it, and I should like now to ask that there may be unanimous consent that it be considered and passed.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. UNDERWOOD. Let the resolution be read, Mr. President.

Mr. LODGE. It simply asks for certain information, I will say to the Senator from Alabama.

The VICE PRESIDENT. The Secretary will read the resolution.

Mr. McCUMBER. That is with the understanding, of course, that it shall not displace the present unfinished business. In order that there may be no misunderstanding about the matter, I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE PRESIDENT. It will be so ordered, in the absence of objection.

Mr. LODGE. I do not think the consideration and passage of the resolution will take a moment. It simply asks for information as to certain prize-court cases.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 438), which was submitted yesterday by Mr. LODGE, was read, as follows:

Resolved, That the President is hereby requested, if not incompatible with the public interest, to inform the Senate whether any, and if any, what measures have been taken relating to claims or complaints of citizens of the United States against the British Government growing out of restraints on American commerce and the alleged unlawful seiz-

ure and sale of American ships and cargoes by British authorities during the late war, and to communicate to the Senate a copy of any instructions which may have been given by the Executive to the American ambassador at London on the subject on and after October 21, 1915, and also a copy of any correspondence which may have passed between this Government and that of Great Britain in relation to that subject since that time.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

#### PETITIONS AND MEMORIALS.

Mr. LODGE presented telegrams in the nature of memorials of the George Washington Council, American Association for the Recognition of the Irish Republic, of Roslindale, signed by Patrick P. Kelly, president; Katherine Riordan, vice president; and Thomas M. Devlin, publicity director, and the Monsignor Millerick Council of the American Association for the Recognition of the Irish Republic, of Boston, both of the State of Massachusetts, protesting against deporting the lord mayor of Cork, Ireland, D. J. O'Callaghan, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a memorial of sundry citizens of Suttons Bay, Mich., remonstrating against present conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

He also presented a resolution of Lodge No. 322, International Association of Machinists, of Saginaw, Mich., favoring a resumption of trade with Russia and European countries, which was referred to the Committee on Foreign Relations.

He also presented a resolution of Ann Arbor Grange, of Ann Arbor, Mich., favoring a speedy and continual reduction of armaments, which was referred to the Committee on Military Affairs.

He also presented a resolution of the Maintenance of Way Employees and Railway Shop Laborers, of Grand Rapids, Mich., favoring the restriction of immigration, which was referred to the Committee on Immigration.

Mr. ELKINS presented a petition of sundry citizens of Huntington, W. Va., praying for the establishment of a bureau of veteran reestablishment in the Department of the Interior, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution of the Farmers' Equity Union, adopted at its recent annual convention in St. Louis, Mo., favoring the so-called truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Nekoma Local Wheat Growers' Association of the United States, of La Crosse, Kans., praying for the enactment of legislation to stop speculation in grain products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Towanda, Kans., praying for the enactment of legislation to strengthen the Federal farm loan act, which was referred to the Committee on Banking and Currency.

#### THE MERCHANT MARINE.

Mr. RANDELL. I ask unanimous consent to have referred to the Committee on Commerce and printed in the RECORD resolutions adopted at the annual meeting of the National Merchant Marine Association, held in this city on the 20th and 21st of the present month. They are very brief.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Resolutions adopted at the annual meeting of the National Merchant Marine Association, Washington, D. C., January 20-21, 1921.

Resolved by the National Merchant Marine Association, That in order to establish the full practical value of the measure in the development of the new merchant shipping of the United States we strongly urge the immediate and faithful enforcement of the merchant marine act of 1920.

Resolved, That the personnel of the United States Shipping Board be put upon a basis of permanency, in order that a constructive administrative policy may be carried out in the application of the law.

Resolved, That private American enterprise must be encouraged to engage in shipping through the means of national aid wherever found necessary by the Shipping Board, to the end that American ships under the American flag may operate in competition with foreign ships in the same trades.

Resolved, That in order that the farmers, manufacturers, and other producers of this country shall be enabled to compete successfully in foreign markets, and in order that ultimately our merchant marine shall be privately owned by citizens of all sections, we urge that it should be decided what new mail, passenger, and cargo routes are to be established and operated by the Shipping Board from our various ports, and that arrangements should be made accordingly for their present and future development with a view to the purchase of routes and ships as soon as practicable by companies and individuals selected, wherever possible, from their respective sections or ports.

Resolved, That wherever reasonably adequate services are already being performed by private-owned ships or by Government-owned ships



in the hands of private operators the Shipping Board be urged to cease to allocate further tonnage to these particular routes, so that the concerns already in these trades may have a fair chance of development.

*Resolved*, That it is evident that the high prices at which Shipping Board vessels have been sold to purchasers are proving an excessive burden on American operating companies in competition with the ships of foreign nations, and that we therefore urge that an equitable plan of relief be devised and applied in these cases by the Shipping Board.

*Resolved*, That we heartily approve the present policy of enrolling in the Naval Reserve competent American officers and men of the merchant marine, and that we recommend that this policy be broadened and made permanent by the Navy Department and by Congress.

*Resolved*, That in the interest of the Navy and the merchant marine alike, in which so many young men of the Middle West are serving, we urge that the important naval training station on the Great Lakes be not abandoned by the Government.

*Resolved*, That we deplore pessimism and destructive criticism, and we respectfully urge upon Congress and upon the people of the United States a spirit of constructive cooperation, a spirit of optimism, and a firm determination to achieve, in spite of all difficulties, our national purpose of developing and maintaining an American merchant marine for the national defense and for the proper growth of our foreign and domestic commerce.

A true copy.

WILLIAM ALLEN, *Secretary*.

#### AMENDMENT OF INTERSTATE COMMERCE ACT.

Mr. TOWNSEND, from the Committee on Interstate Commerce, to which the subject was referred, reported a bill (S. 4933) to amend the interstate commerce act by adding thereto a new section numbered 20b, and to amend an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, by adding a new paragraph to section 10 thereof, which was read twice by its title.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TOWNSEND:

A bill (S. 4934) providing one German cannon or fieldpiece for the city of Albion, Mich.; to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 4935) to create rural credit societies, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. NELSON:

A bill (S. 4936) for the relief of Jacob Ries Bottling Works (Inc.), Shakopee, Minn.; to the Committee on Claims.

By Mr. SMITH of Georgia:

A bill (S. 4937) granting an increase of pension to Elizabeth Colquitt Marshall; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 4938) creating three grades of warrant officers in the Army, and for other purposes; to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. WARREN submitted an amendment proposing to increase the appropriation for the investigation of the food habits of North American birds and animals, for the extermination of predatory animals, etc., from \$452,240 to \$600,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. HARRIS submitted an amendment providing an appropriation of \$5,000 for the erection of a test station in Georgia for the investigation and improvement of tobacco and the methods of tobacco production and handling, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to appropriate \$10,000 for the investigation of insects affecting peaches in Georgia, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. MOSES submitted an amendment proposing to appropriate \$9,900 for salaries (one chief indexer, \$4,000; one cataloguer, \$2,500; one \$1,800; and one \$1,600) and expenses of preparing the semi-monthly and session indexes of the CONGRESSIONAL RECORD, under the direction of the Joint Committee on Printing, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

#### SPEEDY CONSTRUCTION OF PUBLIC WORKS.

Mr. KENYON submitted the following resolution (S. Res. 439), which was read and ordered to lie over, under the rule: Whereas a temporary decrease in industrial activity has deprived many persons of employment; Whereas it is regarded as sound governmental policy to prosecute public works during periods when labor and material are not fully absorbed by private industry and are therefore in plentiful supply; Whereas Congress has made appropriation now available for the execution of certain public works; and

Whereas the immediate prosecution of such public works will give employment to large numbers of persons now seeking employment, not only directly on the public works but indirectly upon the manufacture of the materials required: Therefore be it

*Resolved*, That the President of the United States be requested, if not incompatible with the public interests, to take measures that the public works of the United States for which appropriations are now available may be expedited and actively prosecuted during the present period of diminished industrial activity.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, in which the concurrence of the Senate was requested.

#### WOUNDED AND DISABLED SOLDIERS.

Mr. HALE. Mr. President, I present a joint resolution which has been passed by the House of Representatives and Senate of the State of Maine relating to wounded and disabled soldiers. I ask that it may be read and referred to the Committee on Military Affairs.

Mr. PENROSE. Mr. President, I shall not make any objection in this instance, but hereafter I must insist that the unfinished business be proceeded with.

The VICE PRESIDENT. Does the Senator from Maine desire that the joint resolution presented by him shall be read?

Mr. HALE. Yes.

The VICE PRESIDENT. The Secretary will read as requested.

The joint resolution was read and referred to the Committee on Military Affairs, as follows:

#### STATE OF MAINE, 1921.

Joint resolution by the Senate and House of Representatives of the Eightieth Legislature of the State of Maine for relief of wounded service men.

Whereas there is existing a grave situation of delay and confusion in the matter of remedial relief for wounded service men from the Great War; and

Whereas the American people have provided with generous heart for these valorous men: Be it

*Resolved*, That the Legislature of the State of Maine does now urge upon Congress the immediate passage of such legislation as will simplify and expedite the procedure whereby wounded and disabled service men may obtain the benefits to which they are entitled, and the secretary of state be instructed to transmit a copy of this resolution to our Representatives in Congress.

In senate chamber January 18, 1921.

Read and adopted in concurrence.

L. ERNEST THORNTON, *Secretary*.

In the house January 13, 1921.

Read and adopted; sent up for concurrence.

CLYDE R. CHAPMAN, *Clerk*.

#### UNITED STATES OF AMERICA, STATE OF MAINE, Office of Secretary of State.

I, Frank W. Ball, secretary of state of the State of Maine and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of joint resolution of the Senate and House of Representatives of the State of Maine in legislature assembled with the original thereof, and that it is a full, true, and complete transcript therefrom and of the whole thereof.

In testimony whereof I have caused the seal of the State to be hereunto affixed. Given under my hand at Augusta, this 21st day of January, in the year of our Lord 1921, and in the one hundred and forty-fifth year of the independence of the United States of America.

[SEAL.]

FRANK W. BALL,

*Secretary of State.*

Mr. HARRISON. I desire to ask the Senator from Maine a question. As I heard the reading of the resolution, it asks that immediate action be taken touching the disabled soldiers and sailors.

Mr. HALE. Yes.

Mr. HARRISON. What legislation has the legislature in mind, may I ask the Senator from Maine?

Mr. HALE. The joint resolution refers to no particular legislation.

Mr. HARRISON. I thought that the legislature had in mind the bill which is known as the France bill, providing hospital facilities to take care of disabled soldiers.

Mr. HALE. I think not. I think the resolution does not refer to any particular legislation, but simply to the general question.

Mr. HARRISON. There is a bill on the calendar which has been reported out of the committee providing hospital facilities to care for disabled soldiers and sailors, I may say to the Senator from Maine.

Mr. HALE. I am aware of that fact.

Mr. HARRISON. The Senator will recall that some days ago the Senator from Maryland [Mr. FRANCE], the author of the bill, who has been very insistent that the proposed legislation be passed immediately, cited to the Senate the fact that the need for it was very urgent. No doubt the resolution presented by the Senator from Maine expresses the sentiment of the legislature of the Senator's State, and that sentiment is shared,

I should say, by the legislatures of all the States. The Senator from Maryland said that he would call up his bill immediately after the passage of the District of Columbia appropriation bill and try to have it made the unfinished business of the Senate in order that it might be passed. I do not know whether similar legislation has passed the other House, but there has been nothing done about the matter in the Senate. I understood the Senator from Utah [Mr. Smoot] to say a few days ago, when the subject was brought up, that the Appropriations Committee, in the sundry civil bill, I believe, was going to make appropriations covering the situation. I had understood that the consideration of the sundry civil appropriation bill had been concluded by the committee two or three days ago.

Mr. SMOOT. I will say to the Senator from Mississippi—

Mr. HARRISON. One moment and I will yield. I do not know whether the sundry civil bill has been reported to the Senate. I am in hearty sympathy with the sentiment expressed in the resolution presented by the Senator from Maine, and I hope that the Appropriations Committee, which has the matter in charge, will bring in some such provision as the Senator from Utah said would be incorporated in the sundry civil bill to carry out the purposes of the legislation which has been urged by the Senator from Maryland. I trust the Committee on Appropriations will soon report that bill and that it may be considered by the Senate in order that proper care may be taken of the disabled soldiers and sailors in whom the Senator is interested.

Mr. SMOOT. I will say to the Senator from Mississippi that that matter will be provided for in the sundry civil appropriation bill.

Mr. HARRISON. But, it being an urgent matter and the relief being needed immediately, may I ask the Senator from Utah when the sundry civil bill is expected to be reported to the Senate?

Mr. SMOOT. It will be reported to the Senate within the next two or three days.

Mr. HARRISON. Has the Committee on Appropriations finished the consideration of the bill, may I ask the Senator from Utah?

Mr. SMOOT. The committee has finished the consideration of the bill.

Mr. HARRISON. May I ask when the consideration of the bill was concluded?

Mr. SMOOT. It was concluded on the day before yesterday.

Mr. HARRISON. But the bill has not yet been reported to the Senate, I understand?

Mr. SMITH of Georgia. Will the Senator from Mississippi yield to me, Mr. President?

Mr. HARRISON. Yes.

Mr. SMITH of Georgia. I think the Senator from Mississippi will find that Senate bill 4643, being Order of Business 632, which was introduced and has been reported by the Senator from Iowa [Mr. KENYON], is a bill which will greatly improve the condition of the wounded soldiers, and we have just about reached it on the calendar. I know the Senator from Iowa is deeply interested in the bill and is waiting the opportunity to press its passage on another call of the calendar.

Mr. HARRISON. If I may ask the Senator from Utah a question, would he object to unanimous consent temporarily to lay aside the unfinished business in order that we might consider and pass measures intended to aid the disabled soldiers and sailors, there being several such bills now on the calendar which have been pressed for consideration?

Mr. SMOOT. Mr. President, everybody recognizes what that question is asked for.

Mr. HARRISON. That does not answer my question.

Mr. SMOOT. I will answer it; and therefore I will say that I object for the day.

Mr. HARRISON. For to-day!

Mr. ROBINSON. Mr. President, I suggest to the Senator from Mississippi that the answer of the Senator from Utah implies that he would not object to entering into a unanimous-consent agreement to consider and dispose of the bill which the Senator from Mississippi had in mind on some other day than to-day; and I suggest to him that he repeat his request to-morrow.

Mr. HARRISON. Yes; I understood that the Senator had only applied his objection to to-day, so that to-morrow, if I can cooperate with the Senator from Iowa [Mr. KENYON] and the Senator from Maine [Mr. HALE], I shall repeat the request.

Mr. ROBINSON. The Senator might also include the Senator from North Dakota [Mr. McCUMBER].

Mr. HARRISON. Yes.

Mr. SMOOT. I ask for the regular order.

#### HOUSE BILL REFERRED.

The bill (H. R. 15812) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1922, was read twice by its title and referred to the Committee on Agriculture and Forestry.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 26th instant, approved and signed bills of the following titles:

S. 2379. An act to provide for the disposition of certain public lands withdrawn and improved under the provisions of the act of Congress approved June 25, 1910 (36 Stat. L., p. 847), as amended by the act of August 24, 1912 (37 Stat. L., p. 497), and which are no longer needed; and

S. 4519. An act to authorize the Louisville & Nashville Railroad, its successors and assigns, to construct and maintain a bridge across the Alabama River at or near a point approximately 4 miles from the city of Montgomery, Ala.

#### AMENDMENT OF ALIEN PROPERTY CUSTODIAN ACT.

Mr. KNOX. I ask unanimous consent for the present consideration of a measure which will not, I think, provoke debate. If it shall, I will withdraw my request. The bill is merely designed to correct a mistake in the Alien Property Custodian act. It is Calendar No. 669, Senate bill 4897. I call the attention of the Senator from Minnesota [Mr. NELSON] to the bill, as he reported it.

Mr. McCUMBER. Mr. President, we have convened following a recess, so that there is no morning hour and no opportunity for morning business.

Mr. KNOX. I have observed a considerable amount of morning business.

Mr. McCUMBER. I know; but the Senator has observed nothing except the introduction of bills and the presentation of petitions.

Mr. KNOX. If there is objection, I will withdraw the request.

Mr. McCUMBER. I shall certainly have to object, Mr. President.

The VICE PRESIDENT. Objection is made.

#### EMERGENCY TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15275) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes.

Mr. THOMAS. Mr. President, it is not my purpose this morning to discuss the pending bill. If I am physically able to do so, I shall essay that task to-morrow. I ask the indulgence of the Senate, however, for a brief moment regarding the statement which was made during the period of the introduction by the Senator from Pennsylvania [Mr. PENROSE] of a proposed unanimous-consent agreement. The charge was then made with some directness—at least, it was very clearly insinuated—that some Members of the Senate on this side doubtless intended to filibuster the bill to death.

Mr. PENROSE. Mr. President, will the Senator permit an interruption on that point before he goes any further?

Mr. THOMAS. Certainly.

Mr. PENROSE. I certainly did not, Mr. President; and I am not informed and do not recall that any Member on this or on the other side of the Chamber made any insinuation whatever regarding any purpose to filibuster. A guilty conscience, Mr. President, caused loud protests from several Senators who doubtless had such a purpose in their breasts.

Mr. THOMAS. Mr. President, it is, of course, very easy to insinuate the existence of a guilty conscience, especially by a man who sometimes is accused of having no conscience whatever. I do not purpose making on record any protest, nor shall I resort to any such tactics to defeat this bill, much as it deserves defeat. I do recall, however, when something was said about a filibuster, whereupon the Senator from Pennsylvania at once rose and announced in substance that he would test that proposition by the introduction of a unanimous-consent agreement.

Mr. President, since I have been a Member of this body I have been a consistent advocate of cloture. I have never allowed an opportunity to present itself without committing myself upon the proposition. As late as the 19th of May, 1919, in submitting some observations to the Senate, I expressed the hope, although it was without any foundation, that some such feature would be added to the rules of the Senate before my term of service expired. Not being in favor, therefore, of un-



limited debate, I am not in favor of filibustering, and never resorted to it, so far as I can recall, except in one instance, and at that time I made no concealment of my purpose. I have known filibusters to be carried on day after day in this body, notwithstanding protestations that the procedure was nothing of the sort.

I have been a Member of three Congresses. With every one of them the Senate adjourned with a filibuster on. In 1915 there was a Republican filibuster over the shipping bill of that session, participated in, or at least sympathized with, by some Members on this side of the Chamber. In 1917 a filibuster participated in by Democrats as well as Republicans against the armed ship defense bill defeated that measure, and public sentiment was so aroused over it that the modified cloture rule of the Senate was adopted with practical unanimity. In 1919 a filibuster participated in exclusively by Republican Members of this body resulted in the defeat of certain appropriation bills. It has been pretended since then—and it is nothing but a pretense—that that filibuster saved large sums of money to the people of the United States.

Mr. President, some Senators who are very much interested in the enactment of this bill participated in one or more of the filibusters to which I have referred; and a number of Senators who are very anxious that this bill shall become a law have been consistent and constant opponents, and others have been intermitting opponents, of every proposition to place a limitation upon debate in the Senate. The Senator from Massachusetts [Mr. Lodge], the distinguished leader of the majority, occupies a dual position upon the subject, he having been for a number of years an advocate of cloture, since which he has been one of the most ardent defenders of unlimited debate. Now, if it be true that consistency is a jewel, I can claim the record as between myself and the Senator from Massachusetts. If, on the other hand, it be true that consistency is an infirmity of little minds, then of course the advantage is all with him.

I think this bill is a vastly important one. Perhaps I magnify its importance, but it is sufficiently so to my mind not only to justify but to require its somewhat extended consideration; and that I propose to give it to-morrow. When I shall have finished I shall be ready for a vote, so far as I am concerned. The majority is responsible for our legislation. It should therefore be permitted to act as it determines, and the people must pass judgment upon the wisdom or expediency of its legislation.

Mr. KING. Mr. President, I inquire of the junior Senator from Iowa [Mr. KENYON] whether he desires to have the floor for a few moments this morning?

Mr. KENYON. Mr. President, I have some legal authorities collated for use on the packer bill, and having spent considerable time in collating them, I thought it might be helpful to put them in the Record. I could not do it, of course, under the five-minute rule.

Mr. KING. I am sure those authorities will be very instructive, and I yield to the Senator for that purpose.

Mr. KENYON. I know the Senator is very anxious to hear from me on that point—

Mr. KING. I am.

Mr. KENYON. Especially to-day; but I will say to the Senator that I am not ready to present these authorities just now. I will do so later in the afternoon, however. I do not want to retard this effort to expedite the pending legislation.

Mr. KING. Mr. President, I am sure that the Senate would welcome the authorities which the Senator from Iowa has collated upon a very important subject which occupied the attention of the Senate for a very considerable time. There were some important legal propositions involved in the packer bill, and it has been affirmed by some that it is a radical departure from the accepted economic policies of the Government and that the constitutionality of some phases of the bill may justly be challenged. As to that I express no opinion, but await with interest the views of the distinguished Senator from Iowa, because I am sure he can furnish us information in support of his position that the packer bill, with all of its unique and extraordinary features, squares with the Constitution of the United States.

Mr. KING addressed the Senate upon the bill. After having spoken, with interruptions, for four hours and a quarter he said:

May I ask the Senator from North Dakota [Mr. McCUMBER] at what time he desires to have the Senate adjourn or take a recess?

Mr. McCUMBER. That is a question to be directed to the Senator from Pennsylvania [Mr. PENROSE], but I suppose we shall take a recess very soon.

Mr. PENROSE. I was about to make a motion for a recess, if the Senator from Utah will permit me.

Mr. KING. May I say to the Senator that I would have concluded my remarks except for interruptions. I was very anxious to conclude to-day. I shall, if the Senator desires, pretermitt the rest of my remarks until a later day, or I shall resume them in the morning, suiting the pleasure of my distinguished friend from Pennsylvania.

Mr. PENROSE. I am sure the Senate will be glad to hear the remainder of the Senator's remarks in the morning.

Mr. OWEN. Mr. President, I should like to ask the Senate to dispose this evening of Senate bill 4879, with regard to some incompetent Quapaw Indians. It is important that the bill shall pass, because their right to alienate their land will accrue between now and next winter, and the Government is desirous of protecting those people. It will take only a few moments to dispose of the bill.

Mr. PENROSE. Let the bill be read, Mr. President.

The PRESIDING OFFICER (Mr. HEFLIN in the chair). The Secretary will read the bill.

The reading clerk read the bill (S. 4879) to amend section 1 of the act of Congress approved March 2, 1895 (28 Stat. L., 907), and to extend restrictions against alienation of lands allotted to and inherited by certain Quapaw Indians, and for other purposes.

Mr. OWEN. I desire in considering the bill that the pending measure be temporarily laid aside, so as not to lose its place.

The PRESIDING OFFICER. Without objection, it is so ordered. Is there objection to the present consideration of the bill?

Mr. PENROSE. Mr. President, I seriously doubt the propriety of my yielding for the passage of bills. I would like to oblige Senators, but probably every Senator has some bill on the calendar that he would like to have passed in this way. Therefore I feel that I owe it to the Senate to renew the motion that the Senate take a recess until 12 o'clock to-morrow. If during the day to-morrow there are Senators who have bills they want passed immediately, I shall not object; but to-day, it seems to me, I have no authority to do anything but move to take a recess.

The PRESIDING OFFICER. Objection is made to the consideration of the bill at this time.

RECESS.

Mr. PENROSE. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Saturday, January 29, 1921, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

FRIDAY, January 28, 1921.

The House met at 12 o'clock noon.

Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, we come unto Thee with no complaints. Thou hast been our fullest security. Therefore may there be the sweet note of a psalm of gratitude in all our hearts.

May Thy guidance and direction this day be for all that is the wisest and the tenderest, and at its close may it bear witness to our fidelity to our country, to our best selves, and, above all, to Thee. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

### RIVER AND HARBOR APPROPRIATIONS.

Mr. DEMPSEY, from the Committee on Appropriations, reported the bill (H. R. 15935) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. BYRNS of Tennessee. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Tennessee reserves all points of order on the bill.

Mr. MCCLINTIC. Mr. Speaker, I suggest the absence of a quorum.